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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named

Inventor : Kevin T. O'Dougherty

Appln. No. : 10/725,218

Filed : December 1, 2003

Title : MANUFACTURING SYSTEM WITH
INTRINSICALLY SAFE ELECTRIC
INFORMATION STORAGE

Docket No. : ATMI 667

Group Art Unit: 2876

Examiner: Paik, Steve S.

EXPRESS MAIL COVER SHEET

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Commissioner For Patents

P.O. Box 1450

Alexandria, VA 22313-1450

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1. Response After Final; and
2. Return Postcard.

Respectfully submitted,

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RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2800

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RESPONSE AFTER FINAL

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This is in response to the Office Action mailed on May 26, 2006, in which claim 1 was rejected under 35 U.S.C. § 102(e) as being unpatentable over Mathewes et al. (U.S. Pat. No. 6,751,520); claims 2-11 and 38 were objected to as being allowable but dependent upon a rejected base claim; and claims 12-37 and 39-42 were allowed. Claims 1-42 are pending in the present application.

Claim 1 was rejected under 35 U.S.C. § 102(e) as being unpatentable over Mathewes et al. In order to reject a claim under § 102(e), the reference must teach each and every limitation of the claims. MPEP 2131; *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 2 USPQ2d 1051 (Fed. Cir. 1987). Claim 1 requires "an intrinsic safety barrier ... to limit electrical energy passing to the communication device." In order to allow for the use of the storage device and the communication device in the hazard zone, consideration must be made for safety and protection against the possibility of ignition, since this electrical equipment could potentially cause ignition of